

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:09CR26-4**

**UNITED STATES OF AMERICA,**

**Vs.**

**TRACY BERNARD GIBSON.**

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**ORDER**

**THIS MATTER** is before the court upon defendant's Motion to Withdraw Guilty Plea Due to Ineffective Assistance of Counsel. Having considered defendant's Motion to Withdraw Guilty Plea Due to Ineffective Assistance of Counsel and reviewed the pleadings the undersigned has determined that a hearing should be held in regard to the allegations set forth in the motion and the court enters the following Order.

**ORDER**

**IT IS, THEREFORE, ORDERED** that defendant's Motion to Withdraw Guilty Plea Due to Ineffective Assistance of Counsel (#307) is **CALENDARED** for hearing Friday, March 26, 2010, at 9:30 a.m.

Signed: March 25, 2010



Dennis L. Howell  
United States Magistrate Judge



